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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,444	11/20/2003	Gi Hyeong Do	9988.075.00-US	6634

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EXAMINER	
GRAVINI, STEPHEN MICHAEL	
ART UNIT	PAPER NUMBER
3749	

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/716,444	DO, GI HYEONG	
	Examiner	Art Unit	
	Stephen Gravini	3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *14 October 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1-2, 4, and 6-8 are rejected under 35 U.S.C. 102(b) as being clearly anticipated Souza (US 5,761,314) .

Claim Rejections - 35 USC § 103

Claims 9 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heater et al. (US 6,199,300) in view Souza. Heater is considered to disclose each of the claimed elements on the face of that reference, except for the claimed step of driving an exhaust fan during the cooling procedure. Souza, another laundry dryer, is considered to disclose a step of driving an exhaust fan during the cooling procedure on the face of that reference. It would have been obvious to one skilled in the art to combine the teachings of Heater, with the step of driving an exhaust fan during the cooling procedure as disclosed by Souza, for the purpose of cooling laundry within a dryer during a laundering operation to prevent scorching or overheating through a substantial linear decrease in temperature over time

Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Souza in view of Sung (US 5,245,764). Souza is considered to clearly anticipate the claimed invention, except for the claimed predetermined temperature value and motor stoppage step. First, it would have been an obvious matter of design choice to claim the predetermined temperature value, since that value has not been shown to have any

patentable advantage over the temperature values found in the prior art of record. Second, it considered that Sung, another dryer, discloses the claimed motor stoppage step at column 7 line 17. It would have been obvious to one skilled in the art to combine the teachings of Souza, with the teachings of a motor stoppage step, considered to be found in Sung for the purpose of allowing forced cool air circulation for drying clothes without the excessive heat that would cause damage to desired laundry cleanings.

Claims 10 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heater in view of Souza in further view of Sung. Heater in view of Souza is considered to obviate the claimed invention, except for the claimed predetermined temperature value and motor stoppage step. First, it would have been an obvious matter of design choice to claim the predetermined temperature value, since that value has not been shown to have any patentable advantage over the temperature values found in the prior art of record. Second, it considered that Sung, another dryer, discloses the claimed motor stoppage step at column 7 line 17. It would have been obvious to one skilled in the art to combine the teachings of Heater in view of Souza, with the teachings of a motor stoppage step, considered to be found in Sung for the purpose of allowing forced cool air circulation for drying clothes without the excessive heat that would cause damage to desired laundry cleanings.

Double Patenting

Claims 1-13 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6,775,923. Although the conflicting claims are not identical, they are not patentably

distinct from each other because the present application expressly recites a cooling procedure which is inherently carried out by applicant's earlier patented heater stoppage claim step.

Response to Arguments

Applicant's arguments filed October 14, 2005 have been fully considered but they are considered persuasive.

anticipation

Current Office practice permits clearly anticipatory rejections when the face of a reference shows each of the claimed features. In this application, applicant argues that the microcomputer for controlling a driver associated with an exhaust fan where the exhaust fan driver operates during the cooling procedure is not disclosed in primary reference Souza. It can be seen from the face of that reference that the disclosed electronic controller is considered to clearly anticipate the claimed microcomputer controller since both control an exhaust fan or blower for a cool down procedure discussed in the abstract of that reference.

obviousness

Applicant argues that because the anticipatory rejections are believed overcome, the obviousness rejections are overcome. As discussed above, the anticipatory rejection is considered proper thus the obviousness rejection is considered proper.

double patenting

Applicant asserts the double patenting rejection is overcome without differentiating the claimed invention over the co-pending application. The double patenting rejection is considered proper and therefore maintained.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 571 272 4875. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571 272 4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SMG
February 17, 2006